

Senate Bill 654

By: Senator Reed of the 35th

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 2 of Chapter 9 of Title 24 of the Official Code of Georgia Annotated, relating to general provisions relative to privilege, so as to provide that persons engaged in gathering or dissemination of news shall have a qualified privilege from disclosing certain information; to provide for exceptions, to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 2 of Chapter 9 of Title 24 of the Official Code of Georgia Annotated, relating to general provisions relative to privilege, is amended by striking in its entirety Code Section 24-9-30, relating to persons, companies, or other entities engaged in gathering or dissemination of news, and inserting in lieu thereof the following:

"24-9-30.

Any person, company, or other entity engaged in the gathering and dissemination of news for the public through a newspaper, book, magazine, or radio or television broadcast shall have a qualified privilege against disclosure of any information, document, or item obtained or prepared in the gathering or dissemination of news in any proceeding where the one asserting the privilege is not a party, unless it is shown that this privilege has been waived or that what is sought:

(1) Is material and relevant;

(2) Cannot be reasonably obtained by alternative means; and

(3) Is necessary to ~~the proper preparation or presentation of the case of a party seeking the information, document, or item~~ prove an element of a crime in a prosecution for the offense of murder, voluntary manslaughter, aggravated assault, armed robbery, aggravated sodomy, aggravated child molestation, or aggravated sexual battery."

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SECTION 2.

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All laws and parts of laws in conflict with this Act are repealed.